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9 UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT OF WASHINGTON  
AT SPOKANE

11 NANCY L. AUTREY,

12 Plaintiff,

13 v.

14 CASH & CARRY STORES, LLC, and  
15 SMART & FINAL STORES, LLC,

16 Defendants.  
17

No. CV-11-00402 LRS

**ORDER GRANTING  
STIPULATED MOTION FOR  
DISMISSAL OF  
DEFENDANT SMART &  
FINAL STORES, LLC, ETC.**

18 THE COURT, having considered the Stipulated Motion for Dismissal of  
19 Defendant Smart & Final Stores, LLC, Etc., and being fully advised in the  
20 premises, NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED  
21 AND DECREED as follows:

22 1. The parties' stipulated motion, ECF No. 16, is GRANTED. All  
23 claims and causes of action against defendant Smart & Final Stores, LLC are  
24 hereby DISMISSED WITHOUT PREJUDICE and without an award of costs or  
25 fees to any party.  
26

ORDER GRANTING STIPULATED MOTION FOR  
DISMISSAL OF DEF SMART & FINAL, LLC - 1  
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2. CASH & CARRY STORES LLC is a proper party to this action and shall remain as the sole, current defendant in this matter.

3. Defendant's name shall appear as "Cash & Carry Stores LLC" – without a comma – in all future captions of all future pleadings.

4. At trial, the parties may not seek to assign fault to Smart & Final Stores, LLC.

5. The following affirmative defense asserted by Cash & Carry Stores LLC is hereby dismissed without prejudice and without an award of costs or fees to any party:

8. Defect of parties. Plaintiff has misidentified and/or sued incorrect parties.

DATED this 7th day of February, 2012.

*s/Lonny R. Suko*

THE HONORABLE LONNY R. SUKO

Presented by:

LANE POWELL PC

By *s/ Steven D. Jensen*

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Cash & Carry Stores LLC and

Smart & Final Stores, LLC

DANO & GILBERT

[Per Email / Telephonic Approval]

ORDER GRANTING STIPULATED MOTION FOR  
DISMISSAL OF DEF SMART & FINAL, LLC - 2  
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ORDER GRANTING STIPULATED MOTION FOR  
DISMISSAL OF DEF SMART & FINAL, LLC - 3  
No. CV-11-00402 LRS

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